

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

JOHNNY JACKSON AND LATESIA)
JACKSON,)
)
Plaintiffs,)
)
v.)
)
PEOPLES SOUTH BANK f/k/a PEOPLES)
COMMUNITY BANK, LARRY)
PITCHFORD, et. al.)
)
Defendants.)
)

CIVIL ACTION NO.
2:06-CV-00021-WKW-VPM

PEOPLESOUTH BANK'S MOTION FOR LEAVE TO AMEND ANSWER

COMES NOW defendant PeoplesSouth Bank f/k/a Peoples Community Bank ("PeoplesSouth"), by and through its undersigned counsel, and moves this Court for leave to amend PeoplesSouth Bank's answer to the complaint. In support of the motion, Defendant states as follows:

1. In the original answer attached as Exhibit "1", Defendant PeoplesSouth Bank was inadvertently referred to as PeoplesSouth Bancshares, Inc. Accordingly, Defendant PeoplesSouth Bank seeks this Court's leave to file Exhibit "2" to correct this mistake.

WHEREFORE, PREMISED AND CONSIDERED, Defendant PeoplesSouth Bank respectfully requests this Court to enter an order entering Defendant's amended answer. A proposed order is attached hereto as Exhibit "3".

Respectfully submitted,

s/ Gary L. Howard
Ricky J. McKinney (MCK030)
Gary L. Howard (HOW044)
Christian W. Hancock (WAT070)
William J. Long (LON044)
Attorneys for Defendant
PeoplesSouth Bank

OF COUNSEL:

BURR & FORMAN LLP
3100 Wachovia Tower
420 North 20th Street
Birmingham, Alabama 35203
Telephone: (205) 251-3000
Facsimile: (205) 458-5100

CERTIFICATE OF SERVICE

I hereby certify that on February 2, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Gregory M. Zarzaur
gz@taylorlawyers.com

E. Ted Taylor
taylorlaw9@aol.com

Leah O. Taylor
lotaylor@taylorlawyers.com

s/ Gary L. Howard
Of Counsel